

JUL 07 2005

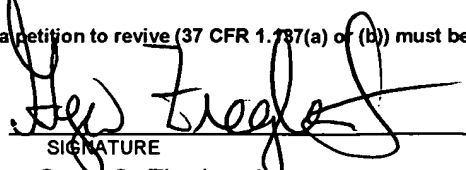
JC10 Rec'd PCT TO 07 JUL 2005 CT4 #5

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|---|--|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 785-012035-US (PAR) |
| INTERNATIONAL APPLICATION NO. PCT/EP03/05566 | INTERNATIONAL FILING DATE 27 MAY 2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/516,652 |
| TITLE OF INVENTION RECLOSABLE PLASTIC PACKAGING COMPRISING TWO SHELLS AND METHOD FOR PRODUCING SAID PACKAGING | | PRIORITY DATE CLAIMED 29 MAY 2002 |
| APPLICANT(S) FOR DO/EO/US FUX, Rudolf | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: German Search Report | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/516,652 | | INTERNATIONAL APPLICATION NO. PCT/EP03/05566 | | ATTORNEY'S DOCKET NUMBER 785-012035-US (PAR) | | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY | |
| 21. <input type="checkbox"/> Basic national fee..... \$300 | | | | \$ 300.00 | | |
| 22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ | | |
| 23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ | | |
| TOTAL OF 21, 22 and 23 = | | | | \$ | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | | |
| X - 100 = | /50 = | | x \$250 | \$ | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ 130.00 | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | |
| Total claims | - 20 = | | x \$ 50 | \$ | | |
| Independent claims | - 3 = | | x \$200 | \$ | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 130.00 | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | | |
| SUBTOTAL = | | | | \$ 130.00 | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | | |
| TOTAL NATIONAL FEE = | | | | \$ 130.00 | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | | |
| TOTAL FEES ENCLOSED = | | | | \$ 130.00 | | |
| | | | | Amount to be refunded: | \$ | |
| | | | | Amount to be charged: | \$ | |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 130.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 16-1350 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1350. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.497(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Geza C. Ziegler, Jr. PERMAN & GREEN, LLP 425 Post Road Fairfield, CT 06824 203/259-1800 Customer No. 2512</p> | | | | | | |
| | | | | SIGNATURE  Geza C. Ziegler, Jr. | | |
| | | | | NAME 44,004 | | |
| | | | | REGISTRATION NUMBER | | |

#5

Rec'd PCT/PTO 07 JUL 2005

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

Applicant(s): FUX, Rudolf

Docket No.

785-012035-US (PAR)

Serial No.

10/516,652

Filing Date

11/29/04

Examiner

Group Art Unit

Invention: **RECLOSABLE PLASTIC PACKAGING COMPRISING TWO SHELLS AND METHOD FOR PRODUCING SAID PACKAGING**

I hereby certify that this Completion of Missing Requirements, IDS, 1449, Refs. and Preliminary Amendment
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on

7/5/05

(Date)

Carolina Rodriguez

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

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07 JUL 2005

MAY 06 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

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|-----------------------------|-----------------------|---------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/516,652 | Rudolf Fux | 785-012035-US (PAR) |

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| INTERNATIONAL APPLICATION NO. |
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PCT/EP03/05566

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|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 05/27/2003 | 05/29/2002 |

2512 G-A
 PERMAN & GREEN
 425 POST ROAD
 FAIRFIELD, CT 06824

US ACTION
 DUE DATE 7-4-05
 PAPER DATES
 OA
 MSG FT
 APPEAL
 OTHER

CONFIRMATION NO. 8763

371 FORMALITIES LETTER



OC000000015761700

Date Mailed: 05/04/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/29/2004
- English Translation of the IA filed on 11/29/2004
- Copy of the International Search Report filed on 11/29/2004
- Copy of IPE Report filed on 11/29/2004
- Preliminary Amendments filed on 11/29/2004
- Information Disclosure Statements filed on 11/29/2004
- U.S. Basic National Fees filed on 11/29/2004
- Priority Documents filed on 11/29/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
 - Figures 2c through 2e (as mentioned in the specification) are missing. Also, at the bottom of the first nine pages of drawings it says "1/9 - 9/9" then page 10 states "10/12". Please clarify whether there should be 9, 10, 11 or 12 drawings (if there are over 10 pages of drawings, please provide those pages).
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Best Available Copy

- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|---------------------|
| 10/516,652 | PCT/EP03/05566 | 785-012035-US (PAR) |

FORM PCT/DO/EO/905 (371 Formalities Notice)